

## INITIATIVE 213

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 213 to the Legislature is a true and correct copy as it was received by this office.

1       AN ACT Relating to privacy; amending RCW 9.73.060; adding a new  
2       section to chapter 9.73 RCW; and prescribing penalties.

3       BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4       NEW SECTION.   **Sec. 1.**   A new section is added to chapter 9.73 RCW  
5       to read as follows:

6       (1) Except as otherwise provided in this section, it is unlawful  
7       for anyone to install a camera in, or attach a camera to any part of  
8       the following structures, buildings, or places, whether the camera is  
9       visible or concealed, if the camera provides a view of the interior of  
10      any of the following structures, buildings, or places:

11      (a) Retail store dressing rooms and other clothes changing rooms;

12      (b) Hotel or motel rooms;

13      (c) Any form of housing, within the residential housing unit,  
14      except by the occupant or occupants of such housing who rent, lease, or  
15      own the housing unit;

16      (d) Any form of office space, or business premises, within the  
17      office space or business premises, except by the occupant or occupants  
18      who rent, lease, or own the office space or business premises;

1 (e) Safe deposit box private viewing rooms, whether in a bank,  
2 savings and loan, or any other building;

3 (f) Locker rooms or public restrooms;

4 (g) Any portion of a tanning room or tanning bed where people  
5 disrobe or are disrobed.

6 (2) Except as otherwise provided in this section, it is unlawful  
7 for anyone to view, photograph, film, transmit, or record any images or  
8 events from any camera described in subsection (1) of this section.

9 (3) Law enforcement officers are exempt from this section during a  
10 lawful criminal investigation.

11 (4) For the purposes of this section, "camera" means any device  
12 that makes any photograph, motion picture film, video, or other  
13 recording or transmission of an image, whether moving or still.  
14 "Photograph" includes any image on a monitor screen, whether it is  
15 recorded or not.

16 (5)(a) A person or entity who violates subsection (1)(a), (e), (f),  
17 or (g) of this section is guilty of a gross misdemeanor punishable  
18 according to chapter 9A.20 RCW.

19 (b) A person or entity who violates subsection (1)(b), (c), or (d)  
20 of this section is guilty of a class C felony punishable according to  
21 chapter 9A.20 RCW.

22 (6) This section does not limit the right of (a) the media in  
23 performing their video newsgathering functions, (b) employers to video  
24 monitor their employees in the workplace except as provided in this  
25 section, (c) hotels, motels, or multi-unit housing complexes to video  
26 monitor common areas such as hallways, recreational areas, or outdoor  
27 areas.

28 **Sec. 2.** RCW 9.73.060 and 1977 ex.s. c 363 s 2 are each amended to  
29 read as follows:

30 Any person who, directly or by means of a detective agency or any  
31 other agent, violates the provisions of this chapter shall be subject  
32 to legal action for damages, to be brought by any other person claiming  
33 that a violation of this statute has injured his or her business,  
34 (~~his~~) person, or (~~his~~) reputation. A person so injured shall be  
35 entitled to: (1)(a) Actual damages, including mental pain and  
36 suffering endured by him or her on account of violation of the  
37 provisions of this chapter(~~(7)~~); or (b) liquidated damages not to  
38 exceed two hundred fifty thousand dollars for a violation of section 1

1 of this act, or for any other violation of this chapter liquidated  
2 damages computed at the rate of one hundred dollars a day for each day  
3 of violation, not to exceed one thousand dollars((7))i and ((a)) (2)  
4 reasonable attorney's feesu and other costs of litigation.

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